

# **DIVISION OF ACCOUNTS AND REPORTS POLICY AND PROCEDURE MANUAL**

**Revision Date** 11/12/98

**Date Issued** 07/72

**Revisions throughout**

**Filing Number** 3,035

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## **SUBJECT**

Agency Authority to Contract with Attorneys and Requirement for Itemized Billings

## **PURPOSE**

Communicate existing policies and restrictions on agency authority to contract with attorneys, and distribute a suggested format to submit the information required for payment of legal services.

## **AUTHORITATIVE REFERENCE**

Attorney General's Opinion dated April 23, 1958

In an opinion dated March 25, 1980, the Department of Administration Chief Attorney reviewed the PPM filing issued 07/72, and recommended no changes to the content.

## **GENERAL INFORMATION**

### *Authority to Contract for Attorney Services*

Agencies without specific statutory authority to hire attorneys should contact the Department of Administration Legal Section prior to contracting for these services to obtain prior approval of the legality or propriety of such legal services. Even if specific authority to hire an attorney exists, there are some limits on the types of matters that the attorney may properly handle for the agency.

### *Itemized Billing Requirement*

The following information must be provided in the form of an itemized billing from the attorney in order to process payment vouchers payable to the vendor:

Purpose for hiring attorney

Dates and Description of service, including time billed, or charge for service

Rate (hourly rate, rate per mile, charge per copy, etc.)

Amount

Total amount due

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**CONTACT SOURCES**

Questions regarding the authority of an agency to hire an attorney should be directed to:

Division of Accounts and Reports  
Central Accounting Services Section  
Audit Services Team